

WATER/FLC/KKE:jrb**PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA****WATER DIVISION
Water Advisory Branch****RESOLUTION NO. W-4265
May 3, 2001****R E S O L U T I O N****(RES. W-4265), AUDRAIN STATION WATER COMPANY
(ASWC). ORDER DECERTIFICATING ASWC.**

SUMMARY

This Resolution decertificates ASWC because it no longer exists.

BACKGROUND

The Audrain Station Water Company (ASWC) was located adjacent to U. S. Highway 50, approximately two miles west of Echo Summit, El Dorado County and was created to serve a total of 38 residential and two commercial connections in and around a subdivision called Audrain Subdivision. Application No. 34941, amended on January 14, 1954 to increase the proposed monthly flat rate charge to \$3.00 and the proposed annual minimum charge to \$18.00 was filed by the owner of property to be served, Charles Klausner. A public hearing on the matter was held on January 21, but a late-filed amendment of January 29, (increasing the service territory as herein described) was accepted before the Commission acted on the application. ASWC's application that was approved as submitted on March 9, 1954 in Los Angeles by Decision (D.) 49756, authorized ASWS a Certificate of Public Convenience and Necessity for the purpose of distributing water. The water system at that time consisted primarily of two springs, one storage tank and about 1,800 feet of two- and three-inch distribution pipe.

Then D.67416 transferred ownership from Klausner to Jewel E. French and Mary E. Westerfield of Riverside County, California on June 23, 1964 in San Francisco. A complaint (C. 10426, filed September 27, 1977) protested the poor service and questioned who owned the water rights. Resolution of complaint case, D.89664, stated water rights were not within the jurisdiction of the Commission and the

poor service was due to absentee ownership going on because the Commission had never authorized a transfer of ownership. D.89664 required the new owners to complete a transfer of ownership with the Commission, and to fix the two leaking tanks. The transfer of ownership from French/Westerfield to Lawrence D. and Robyn L. Braun was completed by D.90061, dated March 13, 1979. The Braun's name for the water company was changed from Audrain Water Company to Audrain Station Water Company. According to the company's annual report in 1976, the net value of the system was slightly over \$6,000.

The current owners, James W. and Judith A. Anderson filed application No. 60162 on December 29, 1980 to procure ownership of the company. In D.92758, the Anderson's purchased the water system because it was located on the Braun's residential property that the Anderson's wanted to purchase. At the time of the sale, as noted in D.92758, the company still had 10 connections and the six outstanding business matters of the company were:

1. no income since 1979;
2. no outstanding stock of debts;
3. no employees or compensations;
4. no advances for construction;
5. no customer deposits; and
6. the condition of the system is good

To this day, the tariff sheet shows Schedule No. 1, Residential Flat Rate Service, charges a minimum of \$18.00 per year and a monthly flat rate of \$3.00 per day.

DISCUSSION

According to a June 6, 1996 letter from Laura Pettersen of the Department of Environmental Health in the Environmental Management Department, County of El Dorado,

“information has been submitted and verified by this Department that Audrain Water Company no longer serves water to five or more service connections. Therefore, the system will no longer be permitted by this Department. Enclosed please find a copy of a letter from this Department that has been sent to each former user of the Audrain Water Company.”

The attached letter stated:

“The office has verified that the Audrain Water Company no longer falls under the jurisdiction of this Department...This Department hereby notifies you of the following:

1. Surface water is unsafe and not potable unless adequately filtered and disinfected by approved technology,
2. The “Boil Water” Notice should remain in effect for any individual homes using surface water, and
3. This Department cannot approve building permits or loan inspection forms for properties that do not have potable water.”

Since there is no water available for the utility to sell, the company is now defunct and should be decertified.

FINDINGS

THE COMMISSION FINDS that:

1. Audrain Station Water Company no longer exists as a public utility under Commission jurisdiction.
2. It should be removed from the list of regulated water companies.

THEREFORE IT IS ORDERED THAT:

1. All Commission records of the Audrain Station Water Company shall be properly marked and disposed of or stored, as appropriate.

2. This resolution is effective today.

I certify that the foregoing resolution was duly introduced, passed and adopted at a conference of the Public Utilities Commission of the State of California held on May 3, 2001; the following Commissioners voting favorably thereon:

WESLEY M. FRANKLIN
Executive Director